

AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 338

Introduced by ~~Senator~~ *Senators Maldonado and Alquist*

February 16, 2005

An act to add Chapter 5.8 (commencing with Section 51950) to Part 28 of the Education Code, relating to curriculum.

LEGISLATIVE COUNSEL'S DIGEST

SB 338, as amended, Maldonado. School curricula: Internet safety.

~~(1) Existing law prescribes various matters to be included in the adopted course of study at the appropriate elementary and secondary grade levels.~~

This bill would, commencing with the 2006-07 school year, ~~require~~ *authorize* a school district to adopt and implement curricula on Internet safety education, as specified, to be incorporated into the adopted course of study, ~~thus imposing a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Pupils are spending increasingly greater amounts of time interacting on the Internet in the course of both research and social interaction.

(b) With the increase in worldwide Internet use, many safety concerns have arisen with regard to Internet use, including concerns as to personal safety, privacy, and the protection of intellectual property.

(c) Increased use of the Internet as an educational tool has raised concerns in the areas of cheating, plagiarism, and illegal downloading, and pupils are more tempted than ever to engage in unethical, and sometimes unlawful, practices in these areas. Without providing warnings or raising pupil awareness as to these dangers, the ease of Internet use and the availability of resources is likely to cause some younger pupils to engage in these practices ignorantly,

(d) The risks and dangers that are increasingly associated with Internet use are as real and as dangerous to pupils and to society as the more familiar physical dangers addressed in school safety plans and codes of conduct, and it is in the best interests of the state to educate pupils concerning these risks and dangers.

SEC. 2. Chapter 5.8 (commencing with Section 51950) is added to Part 28 of the Education Code, to read:

CHAPTER 5.8. INTERNET SAFETY EDUCATION

51950. (a) Commencing with the 2006-07 school year, the governing board of a school district ~~shall~~ *may* adopt and implement comprehensive, age-appropriate curricula in kindergarten and grades 1 to 12, inclusive, that provides instruction on safety in working and interacting on the Internet.

(b) The curricula shall include all of the following topics:

(1) Interaction with persons in the cyber community.

(2) Personal safety in interacting with persons on the Internet.

(3) Recognition and avoidance of on-line bullying.

(4) Technology, computer virus issues, and methods to avoid computer virus infection.

1 (5) Predator identification.

2 (6) Intellectual property, including education concerning
3 plagiarism and techniques to avoid committing plagiarism and
4 laws concerning downloading copyrighted materials including
5 music.

6 (7) Privacy and the Internet.

7 (8) On-line literacy, including instruction on methods of
8 identifying credible, factual, trustworthy Web sites.

9 (9) Homeland security issues related to Internet use.

10 (c) The curricula shall be incorporated into the course of study
11 required pursuant to Chapter 2, rather than isolating the curricula
12 as a separate class.

13 (d) A school district is encouraged to use available Internet
14 safety curricula resources, including materials available through
15 nonprofit Internet safety foundations that are endorsed by the
16 federal government. A school district is also encouraged to
17 collaborate with a local law enforcement agency in the
18 development of the curricula, particularly with regard to topics
19 that address personal safety on the Internet, predator
20 identification, privacy, and homeland security.

21 (e) A school district *that adopts curricula pursuant to*
22 *subdivision (a)* shall annually review and, if necessary, ~~revise the~~
23 ~~curriculum.~~ *make revisions.*

24 (f) (1) A school district *that adopts curricula pursuant to*
25 *subdivision (a)* shall designate a person responsible for
26 overseeing implementation ~~of the curricula~~ in each school in the
27 school district.

28 (2) The person designated pursuant to paragraph (1) shall
29 submit an annual curricula implementation report to the
30 governing board of the school district that provides an overview
31 of the curricula. The governing board shall forward the report to
32 the department and make the report available on the Web site of
33 the school district.

34 ~~SEC. 3. If the Commission on State Mandates determines that~~
35 ~~this act contains costs mandated by the state, reimbursement to~~
36 ~~local agencies and school districts for those costs shall be made~~
37 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
38 ~~4 of Title 2 of the Government Code.~~